

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:

MADHU GROVER,

Debtor.

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Chapter 7
Case No. 22-11730 (MG)

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YANN GERON, as Chapter 7 Trustee of the Estate :
of MADHU GROVER, :

Plaintiff, :

- against - :

MADHU GROVER :

Defendant. :

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:
Adv. Pro. No. 23-01198 (MG)

-----X
JAMES BUSCHE, :

Plaintiff, :

- against - :

MADHU GROVER :

Defendant. :

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:
Adv. Pro. No. 23-01199 (MG)

-----X
PRASANNA PANDARINATHAN, :

Plaintiff, :

- against - :

MADHU GROVER :

Defendant. :

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Adv. Proc. No. 23-01200 (MG)

**STIPULATION AND ORDER PRECLUDING (i) THE TESTIMONY OF
MANISH SHAH, MANISH GROVER, AND ASHNA SHAH GROVER; AND (ii) ANY
DOCUMENTS NOT PROVIDED IN RESPONSE TO PLAINTIFFS’
CONSOLIDATED DOCUMENT DEMANDS**

This Stipulation (the “Stipulation”) is entered into by, between, and among Yann Geron (the “Trustee”), the Chapter 7 trustee of the above-captioned bankruptcy estate and plaintiff in the above-captioned adversary proceeding no. 23–01198; James Busche (“Busche”), creditor and plaintiff in the above-captioned adversary proceeding no. 23–01199; Prasanna Pandarinathan (“Pandarinathan”), creditor and plaintiff in the above-captioned adversary proceeding no. 23–01200; and Madhu Grover (the “Debtor”), the debtor in the above-captioned bankruptcy case and defendant in each of the above-captioned adversary proceedings (the Trustee, Busche, and Pandarinathan are collectively referred to as the “Plaintiffs,” and the Plaintiffs and the Debtor are collectively referred to as the “Parties”).

RECITALS

WHEREAS, on December 31, 2022, the Debtor filed a voluntary petition for relief under Chapter 7 of Title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the Southern District of New York (the “Court”); and

WHEREAS, the Trustee was subsequently appointed interim chapter 7 trustee of the Debtor’s estate, has since qualified as the permanent trustee, and is currently serving in that capacity; and

WHEREAS, on November 15, 2023, the Plaintiffs commenced the above-captioned adversary proceedings by filing complaints seeking to deny the Debtor’s discharge pursuant to Section 727(a) of the Bankruptcy Code; and

WHEREAS, the Busche and Pandarinathan complaints also seek to deny the dischargeability of their debts pursuant to Section 523(a) of the Bankruptcy Code; and

WHEREAS, the Debtor filed answers to the complaints in each of the adversary proceedings; and

WHEREAS, a consolidated case management order was entered by the Court on February 13, 2024 and amended by the filing of a corrected case management order on March 20, 2024 (the “Case Management Order”); and

WHEREAS, pursuant to the Case Management Order: (i) on April 23, 2024, the Plaintiffs assert that they served Manish Shah with a Deposition Subpoena and Consolidated Document Demands, (ii) on April 23, 2024, the Plaintiffs assert that they served Manish Grover with a Deposition Subpoena and Consolidated Document Demands, and (iii) on April 24, 2024, the Plaintiffs assert that they served Ashna Shah Grover with a Deposition Subpoena and Consolidated Document Demands; and

WHEREAS, Manish Shah, Manish Grover, and Ashna Shah Grover each failed to appear for their scheduled depositions or otherwise produce any documents in response to their respective Consolidated Document Demands; and

WHEREAS, on June 3, 2024, a case management conference was held at which time the Parties advised the Court that they would stipulate that certain witnesses and evidence would be precluded from being introduced as evidence at the consolidated trial of the above-captioned adversary proceedings (the “Trial”),

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by, between, and among the Parties, as follows:

1. Each of the facts set forth in the “Whereas” clauses above is incorporated by reference herein.

2. Manish Shah, Manish Grover, and Ashna Shah Grover are precluded from being called as witnesses at Trial.

3. All documents that were sought by the Plaintiffs pursuant to their Consolidated Document Demands from Manish Shah, Manish Grover, and Ashna Shah Grover, respectively, and which were not produced by Manish Shah, Manish Grover, and Ashna Shah Grover, respectively, in response to those demands are precluded from being used as evidence at Trial.

4. This Stipulation is subject to Court approval and shall not be enforceable until such approval is obtained. If Court approval of the Stipulation is not obtained, then the Parties will be returned to their position prior to the Stipulation, unless otherwise directed by the Court.

5. This Stipulation constitutes the whole agreement by, between, and among the Parties with respect to the subject matter hereto and may only be modified or amended by the written consent of the Parties and with any necessary Court approval.

6. The Court shall retain exclusive jurisdiction over all disputes regarding this Stipulation.

7. This Stipulation may be executed in one or more counterparts, each of which shall constitute an original, and all of which shall constitute a single and identical agreement. It shall not be necessary, in making proof of this Stipulation, to produce or account for more than one complete set of counterparts. Any signature delivered by a party via e-mail or telecopier transmission shall be deemed an original signature hereto.

Dated: New York, New York
June 7, 2024

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Dated: New York, New York
June 7, 2024

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Dated: New York, New York
June 7, 2024

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Dated: New York, New York
June 7, 2024

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IT IS SO ORDERED.

Dated: June 10, 2024
New York, New York

/s/ Martin Glenn
MARTIN GLENN
Chief United States Bankruptcy Judge